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13 LLC, and XXXVI HOLDINGS INC.

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN JOSE DIVISION  
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18 BOGARD, MCGRATH, JANE DOE, BECCA  
19 SCHMILL FOUNDATION, *Individually and*  
20 *on behalf of all others similarly situated,*

21 Plaintiffs,

22 v.

23 TIKTOK, INC., BYTEDANCE, INC.,  
ALPHABET INC., XXVI HOLDINGS INC.,  
24 GOOGLE LLC, YOUTUBE, LLC,

25 Defendants.  
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Case No. 5:24-cv-03131-VKD

**DECLARATION OF TIANA DEMAS IN  
SUPPORT OF DEFENDANTS' JOINT REPLY  
IN SUPPORT OF MOTION TO DISMISS  
PLAINTIFFS' COMPLAINT**

1 I, Tiana Demas, declare as follows:

2 1. I am an attorney at Cooley LLP and counsel for Defendants Google LLC, YouTube  
3 LLC, XXVI Holdings Inc., and Alphabet Inc. in this action. I am admitted to practice law before  
4 this Court *pro hac vice*. I have personal knowledge of the matters set forth below and if called as a  
5 witness, I could and would testify competently thereto. I submit this declaration in support of  
6 Defendants' Joint Reply in Support of their Motion to Dismiss Plaintiffs' Complaint.

7 2. Plaintiffs' Complaint cites and relies on various webpages that were publicly  
8 available at the time the Complaint was filed. Because the contents of some of those webpages have  
9 changed over time, I directed my colleagues at Cooley LLP to use the Internet Archive's Wayback  
10 Machine (<https://web.archive.org/>, the "Wayback Machine"), which I understand is a public  
11 archive of webpages as they appeared on various historical dates, to access and download the  
12 versions of the webpages cited in the Complaint. I directed my colleagues to download versions  
13 of these webpages archived on or near the date the Complaint was filed, or January 25, 2023,  
14 where Complaint indicated that was the "last visited" date for certain webpages.

15 3. Attached as Exhibit A is a true and correct copy of a webpage titled "Learn about  
16 scheduled copyright takedown removal requests" maintained by YouTube and publicly available  
17 at the time the Complaint was filed at the URL  
18 [https://support.google.com/youtube/answer/9167045?hl=en&ref\\_topic=9282614](https://support.google.com/youtube/answer/9167045?hl=en&ref_topic=9282614). This URL is  
19 cited in the Complaint at Paragraph 15, note 4. Exhibit A is an archived version of this webpage as  
20 it appeared on August 19, 2022, the latest date prior to the Complaint's filing for which an archived  
21 version is available, and is currently available via the Wayback Machine at  
22 [https://web.archive.org/web/20220819003924/https://support.google.com/youtube/answer/91670](https://web.archive.org/web/20220819003924/https://support.google.com/youtube/answer/9167045?hl=en&ref_topic=9282614)  
23 [45?hl=en&ref\\_topic=9282614](https://web.archive.org/web/20220819003924/https://support.google.com/youtube/answer/9167045?hl=en&ref_topic=9282614).

24 4. Attached as Exhibit B is a true and correct copy of a webpage titled "Online  
25 Challenges" maintained by TikTok and publicly available at the time the Complaint was filed at  
26 the URL <https://www.tiktok.com/safety/en-us/online-challenges/>. This URL is cited in the  
27 Complaint at Paragraph 17, note 6. Exhibit B reflects an archived version of this webpage as it  
28 appeared on December 24, 2022, the latest date for which an archived version is available prior to

1 the “last visited” date of January 25, 2023, and is currently available via the Wayback Machine at  
2 [https://web.archive.org/web/20221224043215/https://www.tiktok.com/safety/en-us/online-](https://web.archive.org/web/20221224043215/https://www.tiktok.com/safety/en-us/online-challenges/)  
3 [challenges/](https://web.archive.org/web/20221224043215/https://www.tiktok.com/safety/en-us/online-challenges/).

4 5. Attached as Exhibit C is a true and correct copy of a webpage titled “Harmful or  
5 dangerous content policy” maintained by YouTube and publicly available at the time the Complaint  
6 was filed at the URL <https://support.google.com/youtube/answer/2801964?hl=en>. This URL is  
7 cited in the Complaint at Paragraph 17, note 7. Exhibit C reflects an archived version of this  
8 webpage as it appeared on January 18, 2023, the latest date for which an archived version is  
9 available prior to the “last visited” date of January 25, 2023, and is currently available via the  
10 Wayback Machine at [https://web.archive.org/web/20230118091144/https://support.google.com/](https://web.archive.org/web/20230118091144/https://support.google.com/youtube/answer/2801964?hl=en#expand&zippy=%2Cextremely-dangerous-challenges%2Cdangerous-or-threatening-pranks%2Cviolent-events-or-instructions-to-harm%2Cdrug-use%2Ceating-disorders)  
11 [youtube/answer/2801964?hl=en#expand&zippy=%2Cextremely-dangerous-challenges%](https://web.archive.org/web/20230118091144/https://support.google.com/youtube/answer/2801964?hl=en#expand&zippy=%2Cextremely-dangerous-challenges%2Cdangerous-or-threatening-pranks%2Cviolent-events-or-instructions-to-harm%2Cdrug-use%2Ceating-disorders)  
12 [2Cdangerous-or-threatening-pranks%2Cviolent-events-or-instructions-to-harm%2Cdrug-](https://web.archive.org/web/20230118091144/https://support.google.com/youtube/answer/2801964?hl=en#expand&zippy=%2Cextremely-dangerous-challenges%2Cdangerous-or-threatening-pranks%2Cviolent-events-or-instructions-to-harm%2Cdrug-use%2Ceating-disorders)  
13 [use%2Ceating-disorders](https://web.archive.org/web/20230118091144/https://support.google.com/youtube/answer/2801964?hl=en#expand&zippy=%2Cextremely-dangerous-challenges%2Cdangerous-or-threatening-pranks%2Cviolent-events-or-instructions-to-harm%2Cdrug-use%2Ceating-disorders).

14 6. Attached as Exhibit D is a true and correct copy of a webpage titled “Report  
15 Inappropriate Videos, Channels, and Other Content on YouTube” maintained by YouTube and  
16 publicly available at the time the Complaint was filed at the URL  
17 <https://support.google.com/youtube/answer/2802027>. This URL is cited in the Complaint at  
18 Paragraph 17, note 8. Exhibit D reflects an archived version of this webpage as it appeared on  
19 January 24, 2023, the latest date for which an archived version is available prior to the “last visited”  
20 date of January 25, 2023, and is currently available via the Wayback Machine at  
21 [https://web.archive.org/web/20230124121436/https://support.google.com/youtube/answer/28020](https://web.archive.org/web/20230124121436/https://support.google.com/youtube/answer/2802027)  
22 [27](https://web.archive.org/web/20230124121436/https://support.google.com/youtube/answer/2802027).

23 7. Attached as Exhibit E is a true and correct copy of a webpage titled “Community  
24 Guidelines” maintained by YouTube and publicly available at the time the Complaint was filed at  
25 the URL [https://www.youtube.com/howyoutubeworks/policies/community-](https://www.youtube.com/howyoutubeworks/policies/community-guidelines/#community-guidelines)  
26 [guidelines/#community-guidelines](https://www.youtube.com/howyoutubeworks/policies/community-guidelines/#community-guidelines). This URL is cited in the Complaint at Paragraph 17, note 9.  
27 Exhibit E reflects an archived version of this webpage as it appeared on January 25, 2023, the “last  
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1 visited” date, and is currently available via the Wayback Machine at  
2 [https://web.archive.org/web/20230125231124/https://www.youtube.com/howyoutubeworks/polic](https://web.archive.org/web/20230125231124/https://www.youtube.com/howyoutubeworks/policies/community-guidelines/#community-guidelines)  
3 [ies/community-guidelines/#community-guidelines](https://web.archive.org/web/20230125231124/https://www.youtube.com/howyoutubeworks/policies/community-guidelines/#community-guidelines). The Community Guidelines contain links to  
4 YouTube’s guidelines on specific topics, including “Harmful or dangerous content,” which  
5 Plaintiffs reference elsewhere in the Complaint and which is attached hereto as Exhibit C, noted  
6 above.

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8 I declare under penalty of perjury that the foregoing is true and correct. Executed this 17th  
9 day of September, 2024 in Chicago, Illinois.

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11 /s/ Tiana Demas

12 Tiana Demas  
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